

All correspondence referring to announcements and subscription of Government Gazette must be addressed to its administration office. Literary publications will be advertised free of charge provided two copies are offered.

Toda a correspondência relativa a anúncios e à assinatura do Boletim Oficial deve ser dirigida à Administração da Imprensa Nacional. As publicações literárias de que se receberem dois exemplares anunciam-se gratuitamente.



## SUBSCRIPTION RATES — ASSINATURA

|                                 | YEARLY<br>(Annual) | HALF-YEARLY<br>(Semestral) | QUARTERLY<br>(Trimestral) |
|---------------------------------|--------------------|----------------------------|---------------------------|
| All 3 series }<br>(As 3 series) | Rs. 40/-           | Rs. 24/-                   | Rs. 18/-                  |
| I Series                        | Rs. 20/-           | Rs. 12/-                   | Rs. 9/-                   |
| II Series                       | Rs. 16/-           | Rs. 10/-                   | Rs. 8/-                   |
| III Series                      | Rs. 20/-           | Rs. 12/-                   | Rs. 9/-                   |

Postage is to be added when delivered by mail —  
Acréscio o porte quando remetido pelo correio

# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

### SUPPLEMENT

#### (SUPLEMENTO)

#### GOVERNMENT OF GOA, DAMAN AND DIU

##### Secretariat

Planning and Development Department

Office of the Chief Electoral Officer

##### Notification

Following notification no. 82/16/64 dated the 4th September, 1964, issued by the Election Commission, India, is hereby published for general information.

A. F. Couto, Chief Electoral Officer.

Panjim, 7th September, 1964.

##### Election Commission, India

##### Notification

New Delhi, the 4th September, 1964

No. 82/16/64

In pursuance of the provision of sub-section (I) of section 86 of the Representation of the People Act, 1951, the Election Commission hereby publishes a copy of the Election Petition no. 16 of 1964, presented to the Commission on the 30th June, 1964 under section 81 of the said Act, by Shri Puruxottam Dugo Tari, residing at Volvoi — Goa, calling in question the election to the Legislative Assembly of the Union Territory of Goa, Daman and Diu from the Marcaim constituency of that Assembly of Shri Dayanand Balkrishna Bandodkar.

Before the Election Commission, India

New Delhi

Election Petition no. 16 of 1964

1 — Puruxottam Dugo Tari, aged 52, } Petitioner  
residing at Volvoi — Goa.

##### Versus

- |   |               |
|---|---------------|
| 1 — Dayanand Balkrishna Bandodkar, age 52, at present residing at Altino, Panjim — Goa. | } Respondents |
| 2 — Rajaram Priolkar, age 54, residing at Weling — Goa.                                 |               |
| 3 — Kowsalram Mistry, age 54, residing at Panjim — Goa.                                 |               |

To,

The Election Commission, New Delhi.

The humble petition of the petitioner above named respectfully sheweth:

1 — That the petitioner and the respondents no. 1 to no. 3 above named were the contesting candidates for the Bye-Election to the Legislative Assembly of the Union Territory of Goa, Daman and Diu, from the Marcaim Constituency.

2 — That only one candidate was to be elected from the said Constituency.

3 — That the election to the said Constituency took place on 15th day May, 1964 and the result of the said Election declared on 16-5-1964 and Shri Dayanand Balkrishna Bandodkar, the Respondent no. 1 above named was elected to the Legislative Assembly of the Union Territory of Goa, Daman and Diu from the said Marcaim Constituency.

4 — At the said Election the Petitioner was a candidate sponsored by the «United Goans» with an election symbol «Hand» and the Respondent No. 1 was a candidate sponsored by the «Maharastrawadi Gomantak» with an election symbol «Lion».

5 — That the Respondent No. 1 and/or his Election agent, and/or some persons with the consent of Respondent No. 1 and/or his election agent has committed the following corrupt practices on the day of election and some days prior to the day of election as set out hereinafter exhaustively:

- a) That the respondent No. 1 and with his consent Shri Vasant Welinkar who was in-charge of the Election campaign of the respondent No. 1 and Shri M. S. Prabhu, who was acting as General Secretary of «Maharastrawadi Gomantak», Mr. Vithal Bablo Naik and others procured vehicles for the conveyance of the electors to and from the polling stations throughout

the Constituency. The particulars of some of the conveyances so procured were motor cars bearing the following numbers:

- |               |                |                |
|---------------|----------------|----------------|
| (1) IGB 04-56 | (6) IGB 03-03  | (11) IGC 05-31 |
| (2) IGB 04-00 | (7) IGB 03-01  | (12) IGC 04-58 |
| (3) IGB 07-18 | (8) IGB 03-97  | (13) IGC 01-26 |
| (4) IGB 03-84 | (9) IGA 38-83  | (14) ICD 04-41 |
| (5) IGB 01-52 | (10) IGC 01-55 |                |

- b) That the respondent No. 1 and with his consent (1) Mr. Vasant Welinkar, (2) Vithal Bablo Naique, (3) Mr. M. S. Prabhu, (4) Mr. Sathe Master, (5) Mr. Vaman Sawant of Volvoi, (6) Mr. Shrichar Naik Khawante alias Bapi Khawante and (7) Mr. Ali of Mardol directly and/or indirectly interfered and/or attempted to interfere with the free electoral rights of the electors of every village in the said constituency by coining and shouting and promoting the shouting throughout all the villages of the constituency of the following slogans in Marathi language.

(1) हात करील घात.

(Hat Kareel Ghat).

(2) हा हात भस्मासुराचा आहे. हा हाताला मलें द्याल तर हा हात तुमचें भस्म करील.

(Há hat Bhasmasuracha áhé. Hya hatala matem dya tar ha hat tumchem Bhasma karil).

(3) हा हात ख्रिश्चनांचा आहे. हातावर शिक्का माराल तर ख्रिश्चन व्हाल.

(Ha hat Christianancha áhe. Hatawar shikka maral tar Christian val).

(4) सिंह म्हाळसेचें व्हान आहे. जो सिंहावर शिक्का मारील त्याचें कल्याण होईल व जो सिंहावर शिक्का न मारेल त्याचा नाश होईल.

(Sinha Mhalasechem Vahan áhe. Jo Sinhawar shikka maril tyachem kalyan hoel, va jo Sinhawar shikka na mareel tyacha nash kareel).

(5) हिंदु धर्माच्या रक्षणार्थ सिंहावर शिक्का मारा.

(Hindu Dharmachya raksharth Sinhawar Shikka mará).

(6) बामनांक ना कर्पाक सिंहांक मतां दियात.

(Bamnank na karpak Sinhak matam diyat).

The petitioner says, that by coining and shouting and promoting the shouting of the aforesaid slogans during the election campaign preceding the election, Respondent No. 1 and the said persons not only interfered or attempted to interfere with the free exercise of the electoral rights of the electors of the said constituency but in fact appealed to the electors of the said constituency to refrain from voting for the petitioner and to cast their votes only for the Respondent No. 1 on the grounds of religion, caste and community. The Petitioner says that the petitioner's election symbol was «Hand» and that of the 1st Respondent was «Lion» and the Respondent No. 1 and his Election agent and the aforesaid persons with the consent of Respondent No. 1 by giving the above said slogans throughout all the villages of the said constituency appealed to the electors to vote for the respondent No. 1 on the ground of his religion and caste and to refrain from voting for the Petitioner. The petitioner says that the said slogans adversely affected the chances of the Petitioner.

- c) That the Respondent No. 1, a few days before the election with the object directly or indirectly inducing the electors of Mardol and Welink to vote for him gave monetary donations to the social clubs of the said villages in the said villages.

- d) That the Respondent No. 1 induced the agriculturists of «Parampoicho Katar», who are electors from Parampoi village in the said Constituency, to vote for him on the promise that when he is elected he shall use his personal influence as Chief Minister and have all the criminal cases then pending against them and instead put on trial their landlords and will distribute the said Parampoicho Katar among the said tenants without having to pay compensation to the Landlord whom the 1st Respondent threatened to put in jail.

6—That the Returning Officer declared the result of the election on 16th May 1964, showing that the Respondent No. 1 was elected or returned as the candidate having obtained the largest number of votes.

The votes obtained by each candidate being:

|                  |       |
|------------------|-------|
| Respondent No. 1 | 7,536 |
| Petitioner       | 470   |
| Respondent No. 2 | 29    |
| Respondent No. 3 | 35    |

7—That the result of the election so far as the returned candidate is concerned has materially affected owing to the corrupt practices committed by the Respondent No. 1 and his Election agent or by other persons with the consent of the Respondent No. 1.

8—That being aggrieved by the illegal and corrupt practices of Respondent No. 1 and by the other persons mentioned above with his consent and the election of the Respondent No. 1 having become void, the petitioner approaches you to appoint Election Tribunal for trial of this election petition on the following amongst other grounds:

- (a) That the corrupt practices committed by the Respondent No. 1 and by other persons with his consent or with the consent of his election agent have materially affected and prejudiced the claims and rights of the petitioner and the result of the election.
- (b) That the corrupt practices committed by the Respondent and his agents is liable to be declared void as they are contrary to Law.

9—That a sum of Rs. 2000/- (Rupees two thousand only) has been deposited in the State Bank of India, Panjim Branch, in favour of the Secretary to the Election Commission as security under S. 117 of the Representation of People's Act 1951. The receipt where of is annexed with this petition.

10—That the petitioner, therefore, most respectfully prays:

- (i) That the Election of the Respondent No. 1 be declared to be void;
- (ii) That the petitioner be declared to have been duly elected under clause (c) of S. 98, of the Representation of People's Act 1951;
- (iii) That the cost of the petition be awarded to the petitioner.
- (iv) That such other or further reliefs as may be considered suitable may be granted to the petitioner and such other orders may be passed as may be considered proper in view of the circumstances of the case.

Petition drawn by:

U. B. Surlikar, Advocate, Rua Malaca, Panjim—Goa.

Advocate for the Petitioner.

(Puruxottam Dugo Tari)

Signed before me:—

J. M. F. C. at Panjim.

Dated this 27th day of June, 1964.

I, Puruxottam Dugo Tari, residing at Volvoi, Goa, do solemnly declare and say that what is stated in the foregoing Petition is true to my own knowledge or belief.

(Puruxottam Dugo Tari)

Solemnly declared at Panjim, aforesaid this 27th day of June 1964.

Before me:

J. M. F. C. at Panjim.

Before the Election Commission  
New Delhi

Election Petition no. 16 of 1964

1—Puruxottam Dugo Tari, residing at Volvoi—Goa. } Petitioner

Versus

1—Dayanand Balkrishna Bandedkar, age 52, at present residing at Altino, Panjim—Goa. } Respondents.  
2—Rajaram Priolkar, age 54, residing at Welink—Goa. }  
3—Kowsalram Mistry, age 54, residing at Panjim—Goa. }

I, Puruxottam Dugo Tari, the petitioner in the above petition do state on solemn affirmation as under.

1—That I have filed above petition against Shri Dayanand Balkrishna Bandodkar, the respondent no. 1 above named praying inter alia for a declaration that the election of the Respondent no. 1 be declared to be void and it may be declared that I have been duly elected under clause (c) of S. 98, of the Representation of the People's Act, 1951, and for other reliefs. I repeat and affirm what is stated in the said petition.

2—I say that the respondent no. 1 herein has committed the following corrupt practices at the said election.

a) That the Respondent no. 1 and with his consent Shri Vasant Welingkar who was in-charge of the Election campaign of the respondent no. 1 and Shri M. S. Prabhu, who was acting as General Secretary of «Maharastrawadi Gomantak», Mr. Vithal Bablo Naik and others procured vehicles for the conveyance of the electors to and from the polling stations throughout the constituency. The particulars of some of the conveyances so procured were motor cars bearing the following numbers:

- |               |                |
|---------------|----------------|
| (1) IGB 05-56 | (8) IGB 03-97  |
| (2) IGB 04-00 | (9) IGA 38-83  |
| (3) IGB 07-18 | (10) IGC 01-35 |
| (4) IGB 03-84 | (11) IGC 05-31 |
| (5) IGB 01-52 | (12) IGC 04-58 |
| (6) IGB 03-03 | (13) IGC 01-26 |
| (7) IGB 03-01 | (14) IGD 04-41 |

b) That the respondent No. 1 and with his consent (1) Mr. Vasant Welingkar, (2) Vithal Bablo Naik, (3) Mr. M. S. Prabhu, (4) Mr. Sathe Master, (5) Mr. Vaman Sawant of Volvo, (6) Mr. Shridhar Naik Khawante alias Bapi Khawante and (7) Mr. Ali of Mardol directly and/or indirectly interfered and/or attempted to interfere with the free electoral rights of the electors of every village in the said constituency by coining and shouting and promoting the shouting throughout all the villages of the constituency of the following slogans in Marathi language.

(1) (Hat kareel ghat)

(2)

(Ha hat Bhasmasuracha ahe, Hya hatala matem dya tar ha hat tumchen Bhasma kareel)

(3)

(Ha hat Christiananacha ahe. Hatawar shikka maral tar Christian val).

(4)

(Sinha Mhalasechem wahan ahe. Jo sinhawar shikka mareel tyachem kalyan hoel, va jo sinhawar shikka na mareel tyacha nash kareel).

(5)

(Hindu Dharmachya rakshnarth Sinhawar Shikka mara)

(6)

(Bannank na karpak Sinhak matam diyat)

The petitioner says that by coining and shouting and promoting the shouting of the aforesaid slogans during the election campaign preceding the election, Respondent No. 1 and the said persons not only interfered or attempted to interfere with the free exercise of the electoral rights of the electors of the said constituency but in fact appealed to the electors of the said constituency to refrain from voting for the petitioner and to cast their votes only for the Respondent No. 1 on the grounds of religion, caste and community. The Petitioner says that the petitioner's election symbol was «Hand» and that of the 1st Respondent was «Lion» and the Respondent No. 1 and his Election agent and the aforesaid persons with the consent of Respondent No. 1 by giving the above said slogans throughout all the villages of the said constituency appealed to the electors to vote for the Respondent No. 1 on the ground of his religion and caste and to refrain from voting for the petitioner. The petitioner says that the said slogans adversely affected the chances of the Petitioner.

c) That the Respondent No. 1, a few days before the election with the object of directly or indirectly inducing the electors of Mardol and Weling to vote for him gave monetary donations to the social clubs of the said villages in the said constituency.

d) That the Respondent No. 1 induced the agriculturists of «Parampocho Katar» who are electors from Parampoi village in the said constituency to vote for him on the promise that when he is elected he shall use his personal influence as Chief Minister and have all the criminal cases then pending against them and instead put on trial their landlords and will distribute the said Parampocho Katar among the said tenants without having to pay compensation to the Landlord whom the 1st Respondent threatened to put in jail.

Solemnly affirmed at Panjim by Puruxottam, Dugo Tari on 27-8-1964.

Before me:

J. M. F. C. at Panjim.

By Order,

A. N. SEN

Under Secretary, Election Commission, India.